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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------------------|
| 09/728,717 | 11/30/2000 | Kai Ahrens | P-4606 | 4846 |
| 7590 | 09/21/2004 | | | EXAMINER MENBERU, BENIYAM |
| Forrest Gunnison Gunnison, McKay & Hodgson, L.L.P. 1900 Garden Road, Suite 220 Monterey, CA 93940 | | | ART UNIT 2626 | PAPER NUMBER |
| DATE MAILED: 09/21/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/728,717 | AHRENS, KAI | |
| | Examiner Beniyam Menberu | Art Unit 2626 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 November 2000.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-18 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: The reference numbers 210, 203, and 281 are not described in the specification. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6377354 to Nguyen et al in view of U.S. Patent No. 5959867 to Speciner et al.

Regarding claims 1, 7, and 13 Nguyen et al disclose a system comprising of a memory and processor (column 4, lines 40-44; Figure 1, reference 22, 21), program and method for converting only objects contained in said transparency list into bitmaps for printing (Nguyen et al disclose a system wherein transparent graphic objects (column 7, lines 58-61; Figure 4) and non-supported text objects (Figure 3A, reference 124, 136) are placed in a bitmap buffer for printing (Figure 3A, reference 138) while other objects are placed in output buffer (Figure 3A, reference 126).).

Nguyen et al does not disclose a system, a program and method for creating a transparency list containing the transparent graphics objects of said document page.

Speciner et al disclose a system, wherein objects to be printed are placed on a display list before processing depending on conditions of the object (column 2, lines 28-37).

Nguyen et al and Speciner et al are combinable because they are in the same problem area of printing graphics.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine listing method of Speciner et al to create a transparency list for the graphics objects in the system of Nguyen et al to implement a document printing system according to the teaching of Nguyen et al.

The motivation to combine the reference is clear because transparent graphics object and other types of non-text objects may need different processing so it is convenient to have a method of separating objects using a list.

Regarding claims 2, 8, and 14, Nguyen et al in view of Speciner et al teach all the limitations of claims 1, 7, and 13 respectively. Further, Nguyen et al teaches a method, system, and program for generating a bitmap frame for at least one object in said transparency list wherein an area of said bitmap frame is less than an area of the entire document page (In Figure 4, Nguyen et al show a document that contains transparent graphic objects and texts wherein the frame bounded by reference 168 (column 8, lines 3-6) is smaller than the entire document area.).

Regarding claims 3, 9, and 15, Nguyen et al in view of Speciner et al teach all the limitations of claims 1, 7, and 13 respectively. Further, Nguyen et al in view of Speciner et al teach system, method, and program for processing portions of the document page that do not include objects in said transparency list as non-bitmapped data (The system of Nguyen et al process non-graphics objects by sending them to the output buffer instead of the bitmap buffer (Figure 3A, reference 128,126) with the exception of unsupported text objects which are bitmapped (Figure 3A, reference 136).).

Regarding claims 4, 10, and 16, Nguyen et al in view of Speciner et al teach all the limitations of claims 1, 7, and 13 respectively. Further, Nguyen et al teach system, method, and program of examining a non-transparent object of said document page for overlap with at least one transparent graphics object contained in said transparency list (Figure 3A, reference 122; column 6, lines 38-43; column 7, lines 4-6. The transparency list is maintained in the form of the bitmap buffer (column 7, lines 7-8.); and inserting said non-transparent object into said transparency list upon said non-transparent object overlapping with at least one transparent graphics object contained in

said transparency list (Nguyen et al teaches that non-graphic objects are inserted into the bitmap buffer (column 7, lines 4-8)).

Regarding claims 5, 11, and 17, Nguyen et al in view of Speciner et al teach all the limitations of claims 1, 7, and 13 respectively. Further, Nguyen et al teach system, method, and program for generating a frame for each overlapping compound object in said transparency list, an overlapping compound object being formed by a transparent graphics object and non-transparent objects overlapping said transparent graphics object (Nguyen et al show an overlapping text object (Figure 4, reference 170) with transparent graphic (Figure 4, reference 166) wherein a frame is shown for the combined overlapped object (Figure 4, reference 180)), said frame defining an area to be printed as a bitmap in printing the overlapping compound object (column 8, lines 13-19).

4. Claims 6, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6377354 to Nguyen et al in view of U.S. Patent No. 5959867 to Speciner et al further in view of U.S. Patent No. 5335316 to Toyokura.

Regarding claims 6, 12, and 18, Nguyen et al in view of Speciner et al teach all the limitations of claims 5, 11, and 17 respectively. However, Nguyen et al in view of Speciner et al does not teach generating said frame for each overlapping compound object as a composition of subframes.

Toyokura discloses an apparatus, method, and program (column 2, lines 25-30) for generating said frame for each overlapping compound object as a composition of subframes (column 2, lines 45-50, lines 61-68).

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Nguyen et al in view of Speciner et al and Toyokura are combinable because they are in the same problem area of printing documents.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of subframes taught by Toyokura to the output of the combined system of Nguyen et al in view of Speciner et al to generate bitmap of smaller frame size.

The motivation to combine the reference is clear because generating smaller frames can reduce memory usage as mentioned by Toyokura (column 1, lines 59-68, column 2, lines 1-2).

Other Prior Art Cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5555003 to Montgomery et al discloses an apparatus for choosing graphics objects from screen.

U.S. Patent Application Publication No. U.S. 2002/0018593 to Oohmura et al discloses an apparatus for printing graphic images and texts.

U.S. Patent No. 6020894 to Silverbrook discloses an apparatus for color publishing.

U.S. Patent No. 6025927 to Honma discloses an apparatus for selective rasterization.

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U.S. Patent No. 5687303 to Motamed et al discloses an apparatus for controlling a printer.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beniyam Menberu whose telephone number is (703) 306-3441. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (703) 306-5631. The group receptionist number for TC 2600 is (703) 305-4700.

Patent Examiner

Beniyam Menberu

09/15/2004

Kimberly Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER